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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/452,162	12/01/1999	KAZUMASA OHSUMI	1185.1050/JD	9955

7590 03/27/2002

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WASHINGTON, DC 20001

EXAMINER

CHUNG, DAVID Y

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 03/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

William Herbert  
(202) 434-1500

**Office Action Summary**

Application No.

09/452,162

Applicant(s)

OHSUMI, KAZUMASA

Examiner

David Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some \* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1, 2, 11, 12, 21, and 22 rejected under 35 U.S.C. 102(e) as being anticipated by Wagner et al. (U.S. 6,330,386). Note the backlighting unit of figure 1a. Note the waveguide plate 10 and prisms 17. Prisms 17 all have the same cross-sectional shape and run at angles with respect to the edge of the waveguide. Each prism has essentially a V-shape with a first and second face. Note the U-shaped light source 12 mounted to the edge of the waveguide in figures 1b and 1c.

Alternatively, claims 1, 2, 11, 12, 21, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Yuuki et al. (U.S. 6,147,725). Note the light-guiding plate 31 in figure 6. The light-scattering face has triangular prisms arranged at a 45 degree angle

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with respect to the edge of the plate. Note also the light source 13 mounted to the edge of the light-guiding plate.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-10, 13-20, and 23-30 rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner et al. (U.S. 6,330,386). These claims represent well known and obvious variations to the triangular prisms commonly used for light-scattering within light guiding plates as evidenced by the disclosures of Wortman et al. (U.S. 5,771,328), Kawada et al. (U.S. 6,124,906), and Jannson et al. (U.S. 6,130,730). Note in these disclosures, the variations in the saw-tooth structure for scattering light. Jannson et al. and Kawada et al. show differing inclination angles whereas Wortman et al. discloses a scattering structure with variable height and cross-sectional size.

Claims 31-34 rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner et al. (U.S. 6,330,386). Although Wagner et al. specifically discloses a lighting unit for back-lit devices, it was well known and obvious that an edge illuminated system

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using a light guide with the light-scattering surface of Wagner et al. can easily be used for front-lit liquid crystal devices.

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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Chung whose telephone number is (703) 306-0155. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:00 pm.



**KENNETH PARKER  
PRIMARY EXAMINER**